

# Inadequate translation of the Qur'anic word **ZINA** into Bosnian and world languages

الزَّانِي

## ★ZINA★ ACCORDING TO THE QUR'AN

There is only one word in the Qur'an that represents an illegal sexual act between a man and a woman and that is zina. (17:32) The term zina means a deliberate sexual act between a man and a woman who are not married, regardless of whether one of them is married or the other is married to the other. So it doesn't matter if it's adultery or fornication, zina encompasses both terms. Accordingly, verses (24:2, 3) mention the perpetrators of such an act for a man called *zani*, and for a woman called *zania*. This is the case in Arabic, but in Bosnian we have two different terms for illegal sex of a married person and an unmarried person, so in practice we distinguish two terms: adultery and fornication.

Adultery is considered an illegal sexual act between two people, either of whom is married, and the corresponding names of the participants are adulterer and adulteress. Fornication, on the other hand, represents intentional sexual

intercourse between unmarried persons of the opposite sex, and the participants are called a fornicator and a fornicatress. In accordance with the above definitions, the translations of the verses in which the words *zina* (illegal sex), *zani* (adulterer/fornicator) and *zania* (adulteress/fornicatress) stand out are as follows:

(17:32) And do not approach adultery/fornication! Truly, it is immoral and evil way.

(24:2) The adulteress/fornicatress (*zania*) and the fornicator/ adulterer (*zani*): Beat each of them with a hundred blows; and do not be overwhelmed with pity for them in the faith of Allah, if you believe in Allah and the Last Day. And let a group of believers attend their punishment.

(24:3) An adulterer/fornicator (*zani*) should not marry except an adulteress/fornicatress (*zania*); and an adulteress/fornicatress (*zania*), let her not marry, except an adulterer/fornicator (*zani*) or a polytheist. And that is forbidden to believers.

The Qur'an very clearly and unequivocally established flogging as a punishment for adultery/fornication and did not make a distinction as to whether the culprit was married or not. It is interesting to note that the misconception about this has persisted without any justification or linguistic authority among individual schools of Muslim religious thought. It is therefore a fundamental misconception that the verse that is the subject of the commentary deals exclusively with the punishment for unmarried people, and that stoning to death is a punishment for married people. This misconception seems to stem from several cases recorded in a hadith when the accused were stoned to death, allegedly by order of the Prophet, a.s.

The punishment prescribed by the verse (24:2) is a hundred lashes, regardless of whether the culprits are married or not, or one is married and the other is not. Thus flogging, not stoning to death, according to this verse is a punishment prescribed in Islam for adultery or fornication.

Islam has not prescribed killing as a necessary and reckless punishment even for crimes far worse than adultery/fornication, such as unprovoked killings, armed robbery, treason and disturbing the peace on earth. Although the extreme punishment for these crimes is death, the payment of blood money in the first case (2:179), and imprisonment or expulsion for other crimes (5:33), was established as an alternative solution.

Elsewhere in the Qur'an where the punishment for the immorality of a slave in marriage is mentioned (4:25), it is clearly stated that she will receive half the punishment prescribed for a free married woman; and obviously the

death penalty cannot be halved. Besides, it is simply inconceivable that the Prophet a.s. acted contrary to the clear and unequivocal commandments of God in this regard.

It is clear from the verse that the beating of the culprit should not be so severe as to cause his death or break his bones, but to inflict pain only on the skin as the word "scourge" in the verse shows and as implied in the verse (4:25).

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